

\$AF/1651
IPW

PTO/SB/31 (04-05)
Approved for use through 07/31/2006. OMB 0651-0031
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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
28053/38258

In re Application of
Conway et al.

| | |
|---|---------------------------------|
| Application Number 09/889,085-Conf. #6842 | Filed January 9, 2002 |
| For IMPROVED MICROBIAL PREPARATIONS | |

10/04/2005 SHASSEN1 00000072 09889085

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|-------------------------|---------------------------------|
| Art Unit 1651 | Examiner Vera Afremov |
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Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ **500.00**

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed (together with fee for 1-mo. Extension of time).
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees, or credit any overpayment to Deposit Account No. **13-2855**. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

- applicant /inventor.
 assignee of record of the entire interest.
 See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)


Signature

Jeffrey S. Sharp
Typed or printed name

- attorney or agent of record.

Registration number _____

(312) 474-6300

Telephone number _____

- attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. **31,879**

September 29, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
 Submit multiple forms if more than one signature is required, see below*.

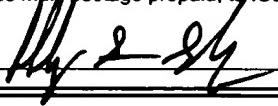
*Total of _____ forms are submitted.

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I hereby certify that this correspondence is being transmitted via first-class mail, postage prepaid, to: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

Dated: September 29, 2005

Signature:  (Jeffrey S. Sharp)